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*Attorneys for Defendants*  
UBER TECHNOLOGIES, INC.;  
RASIER, LLC; and RASIER-CA, LLC

*[Additional Counsel Listed on Signature Page]*

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

IN RE: UBER TECHNOLOGIES, INC.,  
PASSENGER SEXUAL ASSAULT  
LITIGATION

This Document Relates to:  
  
ALL ACTIONS

Case No. 3:23-md-03084-CRB

**DEFENDANTS' STATUS REPORT  
REGARDING DEFENDANTS' REQUEST  
TO EXTEND DEADLINES**

Judge: Hon. Lisa J. Cisneros  
Courtroom: G – 15th Floor

1 Uber Technologies, Inc. and Raiser, LLC submits this report in response to the Court's  
2 October 9, 2024 Discovery Management Order (ECF 1732), which ordered the parties to file no later  
3 than October 11, 2024 the stipulation to extend discovery deadlines set forth in the Court's September  
4 10, 2024 Order ("the Order") (ECF 1629)<sup>1</sup>, or a report explaining the delay in filing that stipulation.

5 Defendants are unable to submit a joint status report because they only received Plaintiffs'  
6 portion of the proposed "joint report" at 6:26 p.m. this evening, the night the report is due. Despite  
7 this, Defendants provided their portion of the status report to Plaintiffs, advising Plaintiffs that they  
8 could not file after 9:30 p.m. PST (12:30 a.m. EST) if Plaintiffs failed to finalize their portion by that  
9 time, which they did not do. Defendants therefore provide the following status report.

10 On October 1, 2024, after weeks of negotiations, the parties reached an agreement on the dates  
11 that would be presented in a request to the Court to extend the production deadlines set out in the  
12 Court's September 10, 2024 Order. (Dkt. 1629). Defendants represented this agreement to the Court  
13 during the October 1 status conference, and Plaintiffs acknowledged this agreement. Defendants  
14 intended to file the stipulation on that agreement on October 1 after the hearing, and to that end,  
15 Defendants sent Plaintiffs' a draft stipulation with proposed order on October 1. However, Defendants  
16 have not yet been able to file the stipulation with the Court because after the status conference  
17 Plaintiffs injected a litany of material new terms to the stipulation that imposed obligations on  
18 Defendants beyond those agreed by the parties on October 1.

19 Notwithstanding these new terms and moving goal posts, Defendants, in the spirit of  
20 compromise agreed to all of the proposed new terms except one. Defendants just learned about this  
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25 <sup>1</sup> The Court's September 10, 2024 Order required Uber to produce records for undisputed custodians  
26 using MDL Plaintiffs' search terms by October 1, 2024 and the related privilege logs for those  
27 custodians by October 10, 2024. The Order also required Uber to produce records for disputed  
28 custodians by November 1, 2024, and the related privilege logs for disputed custodians by  
November 10, 2024.

1 proposal first the first time at 1:13 pm on the day of this filing. Defendants participated in good faith  
2 in the negotiations of the parties' agreement, including through direct participation at the negotiation  
3 table by their in house counsel. Yet still, even with this last minute gamesmanship, Defendants  
4 responded to Plaintiffs with the proposal that the parties should file the stipulation memorializing their  
5 agreed upon dates with the Court, with the caveat that they were still considering Plaintiffs' 11<sup>th</sup> hour  
6 proposal. Defendants' position, as it has communicated transparently, consistently, and in good faith  
7 since September 10<sup>th</sup>, is that the present custodial productions dates are not possible to comply with.  
8 Weeks of careful negotiation and input from Defendants' vendors yielded the agreement on dates the  
9 parties have struck. Now, Plaintiffs are holding the stipulation hostage in favor of a last minute  
10 proposal that the parties have not had *any* opportunity to meet and confer on. The Court should not  
11 countenance this behavior, which violates the local rules regarding civility, and creates real-life  
12 consequences for the teams of people who work on these filings until all hours of the night on Friday  
13 nights and weekends. Defendants have repeatedly advised Plaintiffs of the grueling working  
14 conditions that Plaintiffs disproportional discovery has imposed on the staff of service providers and  
15 legal teams. Plaintiffs ever-shifting demands for appropriate and reasonable volume-based schedule  
16 extensions and adjustments simply do not align with the Northern District's Guidelines on Professional  
17 Conduct ([Guidelines For Professional Conduct | United States District Court, Northern District of](#)  
18 [California \(uscourts.gov\)](#)). It is simply unacceptable. As such, Defendants respectfully request the  
19 Court modify its September 10, 2024 Order and adopt the below dates, which the parties had  
20 previously agreed and Defendants have detrimentally relied upon, as follows, and permit the parties  
21 an opportunity to meet and confer on Plaintiffs' latest proposal and submit an agreement or competing  
22 proposals to be discussed at the October 23, 2024 discovery conference.  
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	<b>Deadline for Production of Custodial Files in 9/10 Order</b>	<b>Deadline for Production of Custodial Files Per 10/1 Agreement</b>	<b>Deadline for Production of Privilege Logs in 9/10 Order</b>	<b>Deadline for Production of Related Privilege Logs Per 10/1 Agreement</b>
<b>For 11 Undisputed Custodians</b>	October 1, 2024	October 21, 2024	October 10, 2024	November 15, 2024, or sooner for noticed and scheduled depositions per PTO 14
<b>For Remaining 17 Undisputed Custodians</b>	October 1, 2024	November 26, 2024, or sooner for noticed and scheduled depositions per PTO 16	October 10, 2024	December 9, 2024, or sooner for noticed and scheduled depositions per PTO 14
<b>For 18 Disputed Custodians</b>	November 1, 2024	January 10, 2025, or sooner for noticed and scheduled depositions per PTO 16	November 10, 2024	January 31, 2025, or sooner for noticed and scheduled depositions per PTO 14

If schedules that work for everyone cannot come through with agreement, Defendants need simple relief to avoid prejudice, and respectfully make the request herein.<sup>2</sup>

By: /s/ Michael B. Shortnacy  
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<sup>2</sup> Defendants reluctantly attach to this report the correspondence between counsel surrounding the negotiation of their agreement. Defendants do not believe the Court should have to wade into this correspondence, but Defendants have been advised by Plaintiffs that they intend to submit only certain portions of the correspondence, rendering the communications out of context when not presented on the whole. *See* Exhibit A, attached hereto.

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18 **CERTIFICATE OF SERVICE**

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20 I hereby certify that on October 11, 2024, I electronically filed the foregoing document with  
21 the Clerk of the Court using the CM/ECF system, which will automatically send notification of the  
22 filing to all counsel of record.

23 By: /s/ Michael B. Shortnacy  
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